

DECLARATION AND POWER OF ATTORNEY
U.S.A.

ALL PATENTS ARE PENDING DESIGN
For Application Based on PCT;
Paris Convention or Non Priority

Atty. Docket No.:

546-USA

As a below named inventor, I declare that my residence, post office address and citizenship are stated below next to my name, the information given herein is true, that I believe that I am the original, first and sole inventor (if only one name is listed below), or a first and joint inventor (if plural inventors are named below, or on additional sheets attached hereto) of the subject matter which is claimed and for which patent is sought on the invention entitled:

OPTICAL COUPLER COMPRISING MULTIMODE FIBERS AND METHOD OF MAKING THE SAME

which is described and claimed in (check one of the following):

- ☒ the attached specification;
☐ the specification in application Serial No. _____, filed _____;
☐ PCT International Application No. _____, filed _____;
(if applicable) and amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):			Priority Claimed	
(Number) _____	Canada (Country)	19/9/2003 (Day/Mo/Year)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
(Number) _____	(Country)	(Day/Mo/Year)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
(Number) _____	(Country)	(Day/Mo/Year)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Appln.Ser.No.) _____	(Filing Date) _____	(Status: patented, pending, abandoned)
(Appln.Ser.No.) _____	(Filing Date) _____	(Status: patented, pending, abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute the application and transact all business in the Patent and Trademark Office connected therewith:

George J. Primak (Reg. No. 24,991) - Customer No. 026031

Address all correspondence to:

George J. Primak
13480 Huntington
Montreal, Quebec
Canada H8Z 1G2

Direct Telephone Calls to: George J. Primak - (514) 620-3936 - Fax: (514) 620-7925

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name and signature of first inventor: Signature: X François Gonthier

X Oct. 14, 2003
Date

Typed Name: François GONTIER GONTHIER

Residence: Montreal, Quebec, Canada

Citizenship: CA

Post Office Address: 1780 Laird Blvd., Montreal, Quebec, Canada H3P 2T9

Full name and signature of additional inventor: Signature: X Lilian Martineau

X 2003 OCT 16
Date

Typed Name: Lilian MARTINEAU

Residence: Montreal, Quebec, Canada

Citizenship: CA

Post Office Address: 5160 Gatineau Ave., #8, Montreal, Quebec, Canada H3T 1W8

Full name and signature of additional inventor: Signature: X François Séguin

X 15 OCT 03
Date

Typed Name: François SÉGUIN

Residence: Montreal, Quebec, Canada

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Post Office Address: 141 Madsen, Montreal, Quebec, Canada H9W 4T9

Full name and signature of additional inventor: Signature: X Alain VILLENEUVE

2003 OCT 15
Date

Typed Name: Alain VILLENEUVE

Residence: Montreal, Quebec, Canada

Citizenship: CA

Post Office Address: 194 Brookfield, Montreal, Quebec, Canada H3P 3J8

Full name and signature of additional inventor: Signature: X Mathieu Faucher

X 2003 OCT 15
Date

Typed Name: Mathieu FAUCHER

Residence: Montreal, Quebec, Canada

Citizenship: CA

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Full name and signature of additional inventor: Signature: X Nawfel Azami

X 2003 OCT 16
Date

Typed Name: Nawfel AZAMI

Residence: Montreal, Quebec, Canada

Citizenship: MA

Post Office Address: 745 Place Fortier, Apt. 1505, Montreal, Quebec, Canada H4L 5A6

Full name and signature of additional inventor: Signature: X Marc Garneau

X 2003 OCT 15
Date

Typed Name: Marc GARNEAU

Residence: Montreal, Quebec, Canada

Citizenship: CA

Post Office Address: 1772 rue Boudrias, Montreal, Quebec, Canada H4L 5A6

Appendix 1

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name and signature of first inventor: Signature: X François Gontier Date: X Oct. 14, 2003
Typed Name: François GONTIER
Residence: Montreal, Quebec, Canada Citizenship: CA
Post Office Address: 1780 Laird Blvd., Montreal, Quebec, Canada H3P 2T9

Full name and signature of additional inventor: Signature: X Lilian Martineau Date: X 2003 OCT 16
Typed Name: Lilian MARTINEAU
Residence: Montreal, Quebec, Canada Citizenship: CA
Post Office Address: 5160 Gatineau Ave., #8, Montreal, Quebec, Canada H3T 1W8

Full name and signature of additional inventor: Signature: X François Seguin Date: X 15 OCT 03
Typed Name: François SEGUIN
Residence: Montreal, Quebec, Canada Citizenship: CA
Post Office Address: 141 Madsen, Montreal, Quebec, Canada H9W 4T9

Full name and signature of additional inventor: Signature: X Alain Villeneuve Date: 2003 OCT 15
Typed Name: Alain VILLENEUVE
Residence: Montreal, Quebec, Canada Citizenship: CA
Post Office Address: 194 Brookfield, Montreal, Quebec, Canada H3P 3J8


Full name and signature of additional inventor: Signature: X Mathieu Faucher Date: X 2003 OCT 15
Typed Name: Mathieu FAUCHER
Residence: Montreal, Quebec, Canada Citizenship: CA
Post Office Address: 10322 Lavendure, Montreal, Quebec, Canada H3L 2L4

Full name and signature of additional inventor: Signature: X Nawfel Azami Date: X 2003 OCT 16
Typed Name: Nawfel AZAMI
Residence: Montreal, Quebec, Canada Citizenship: MA
Post Office Address: 745 Place Fortier, Apt. 1505, Montreal, Quebec, Canada H4L 5A6

Full name and signature of additional inventor: Signature: X Marc Garneau Date: X 2003 OCT 15
Typed Name: Marc GARNEAU
Residence: Montreal, Quebec, Canada Citizenship: CA
Post Office Address: 1772 rue Boudrias, Montreal, Quebec, Canada H4L 5A6



Appendix 2

Form PTO-1595 (Rev. 10/02) OMB No. 0651-0027 (exp. 6/30/2005) Tab settings ⇌ ⇌ ⇌ ▼ ▼ ▼ ▼ ▼ ▼ ▼		RECORDATION FORM COVER SHEET PATENTS ONLY		U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office	
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.					
1. Name of conveying party(ies): François GONTHIER; Lilian MARTINEAU; François SEGUIN; Alain VILLENEUVE; Mathieu FAUCHER; Nawfel AZAMI; Marc GARNEAU Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			2. Name and address of receiving party(ies) Name: ITF TECHNOLOGIES OPTIQUES INC.- ITF OPTICAL TECHNOLOGIES INC. _____ Internal Address: 400 Montpelier Blvd., Montreal, Quebec, Canada H4N 2G7 Street Address: _____ City: _____ State: _____ Zip: _____ Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: October 14, 15 & 16, 2003			4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: 10/14/03; 1015/03; 1016/03 A. Patent Application No.(s) _____ B. Patent No.(s) _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
5. Name and address of party to whom correspondence concerning document should be mailed: Name: George J. Primak Internal Address: _____ Street Address: 13480 Huntington, Montreal, Quebec, Canada H8Z 1G2 City: _____ State: _____ Zip: _____			6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41).....\$ 40.00 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account 8. Deposit account number: _____		
DO NOT USE THIS SPACE					
9. Signature. George J. Primak - Reg. No. 24,991 Name of Person Signing  Signature October 20, 2003 Date					
Total number of pages including cover sheet, attachments, and documents: <u>3</u>					

PATENT OR DESIGN: SOLE OR JOINT

(U.S. and Foreign Rights)

ASSIGNMENT FOR UNFILED APPLICATION FOR UNITED STATES
PATENT

(Sole or Joint Inventors)

WHEREAS:

François GONTHIER
1780 Laird Blvd.
Montreal, Quebec
Canada H3P 2T9

Alain VILLENEUVE
191 Brookfield
Montreal, Quebec
Canada H3P 3J8

Marc GARNEAU
1772 rue Boudrias
Montreal, Quebec
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FULL NAME(S) AND
POST OFFICE ADDRESSE(S)
OF INVENTOR(S) (including
country)

Lilian MARTINEAU
5160 Gatineau Ave., #8
Montreal, Quebec
Canada H3T 1W8

Mathieu FAUCHER
10322 Laverdure
Montreal, Quebec
Canada H3L 2L4

François SEGUIN
141 Madsen
Montreal, Quebec
Canada H9W 4T9

Nawfel AZAMI
745 Place Fortier, Apt. 1505
Montreal, Quebec
Canada H4L 5A6

(hereinafter referred to as ASSIGNOR), have invented and
own a certain invention entitled:

TITLE OF
INVENTION

OPTICAL COUPLER COMPRISING MULTIMODE
FIBERS AND METHOD OF MAKING THE SAME

for which application for Letters Patent of the United States
has been executed on even date herewith,

FULL NAME AND
ADDRESS (including country)
OF ASSIGNEE

WHEREAS: ITF TECHNOLOGIES OPTIQUES INC.-
 ITF OPTICAL TECHNOLOGIES INC.
 400 Montpellier Blvd.
 Montreal, Quebec, Canada H4N 2G7

(hereinafter referred to as ASSIGNEE), is desirous of acquiring the entire interest in, to and under said invention and in, to and under Letters Patent or similar legal protection to be obtained therefor in the United States and in any and all foreign countries.

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:
Be it known that in consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration, ASSIGNOR hereby sells, assigns and transfers to ASSIGNEE the full and exclusive right, title and interest to said invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said invention by said application or any continuation, division, renewal, substitute or reissue thereof or

any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale;

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents in foreign countries as may be known and accessible to ASSIGNOR and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof in any foreign country which may be necessary or desirable to carry out the purposes thereof.

Warning

DATE OF SIGNING:

This must be the same as the date of signing of the declaration and power of the patent or design application.

SIGNATURE(S)

The signature(s) must correspond with the name(s) of the inventor(s) above.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal

X Francis Gonthier X Oct 14, 2003
(Signature) Francis GONTHIER (Date of Signing)

X Ilham Martineau X 16 OCT 2003
(Signature) Ilham MARTINEAU (Date of Signing)

X Francois Seguin X 15 OCT 03
(Signature) Francois SEGUIN (Date of Signing)

X Alain Villeneuve X 2003 OCT 15
(Signature) Alain VILLENEUVE (Date of Signing)

X Mathieu Faucher X 2003 OCT 15
(Signature) Mathieu FAUCHER (Date of Signing)

X Nawfel Azami X 2003 OCT 15
(Signature) Nawfel AZAMI (Date of Signing)

X Marc Garneau X 2003 OCT 15
(Signature) Marc GARNEAU (Date of Signing)

Instruction
sheet for
assignment
Signing

All information, names of inventor(s) and assignee, title of invention and particulars of application should be completed.

No witnessing or legalization is necessary. However, if this assignment is legalized then it will only be prime facie evidence of the execution of the assignment.



Appendix 3

PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY PATENT APPLICATION TRANSMITTAL (Only for new nonprovisional applications under 37 CFR 1.53(b))	Attorney Docket No.	546-USA
	First Inventor	GONTHIER
	Title	Optical Coupler...
	Express Mail Label No.	

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
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1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 20]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
5. Oath or Declaration [Total Sheets 2]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d)).
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Prior application information:

Examiner:

Art Unit:

For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number: 026031 OR ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

George J. Primak

Registration No. (Attorney/Agent)

24,991

Signature

Date

October 20, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.